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10 Attorneys for People of the State of California *ex rel.*  
11 Edmund G. Brown Jr., Attorney General of the State  
of California

12  
13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION

16 **PEOPLE OF THE STATE OF CALIFORNIA**  
17 ***ex rel.* EDMUND G. BROWN JR.,**  
18 **ATTORNEY GENERAL OF THE STATE OF**  
**CALIFORNIA,**

19 Plaintiff,

20 **v.**

21 **ENVIRONMENTAL PROTECTION**  
22 **AGENCY,**

23 Defendant.

Case No.: C 08-00735 SC

**PLAINTIFF'S NOTICE OF  
MOTION AND MOTION FOR  
VAUGHN INDEX**

Date: April 25, 2008  
Time: 10:00 a.m.  
Place: Courtroom 1, 17th Floor  
Judge: Hon. Samuel Conti

24 TO DEFENDANT ENVIRONMENTAL PROTECTION AGENCY AND ITS  
25 ATTORNEYS OF RECORD:

26 PLEASE TAKE NOTICE that on April 25, 2008, at 10:00 a.m., or as soon thereafter  
27 as the matter may be heard in the above-entitled Court, located at 450 Golden Gate Avenue, San  
28

1 Francisco, CA 94102, the People of the State of California, by and through Plaintiff Edmund G.  
 2 Brown Jr., Attorney General of the State of California, will and hereby do move the Court for an  
 3 order requiring defendant to provide, within 14 days of the Court's order, a detailed justification  
 4 for the allegation contained in its answer that the requested documents are exempt from  
 5 disclosure under the Freedom of Information Act, 5 U.S.C. § 552, *as amended*, together with an  
 6 itemized index of the documents withheld that are the subject of this suit, indicating in detail,  
 7 with respect to each document or segregable portion thereof, the nature of the information  
 8 contained in it and the justification for withholding it. *See Vaughn v. Rosen*, 484 F.2d 820 (D.C.  
 9 Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). The grounds for this motion are more fully set  
 10 forth in Plaintiff's Memorandum of Points and Authorities filed herewith. Plaintiff requests a  
 11 hearing on this motion.

12  
 13 Dated: March 21, 2008

Respectfully submitted,

EDMUND G. BROWN JR.  
 Attorney General of the State of California  
 JAMES HUMES  
 Chief Deputy Attorney General  
 JANET GAARD  
 Chief Assistant Attorney General  
 THEODORA BERGER  
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/S/ LAURA J. ZUCKERMAN

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 Deputy Attorney General

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*ex rel.* Edmund G. Brown Jr., Attorney  
 General of the State of California